

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

ELAINE S. OGILVIE,

Civil No. 07-1289 (JRT/FLN)

Plaintiff,

v.

ORDER

DIANE I. HOWLETT,

Defendant.

Paul F. Schweiger, **SIEBEN, GROSE, VON HOLTUM & CAREY**, 130 Superior Street West, Suite 612, Duluth, Minnesota 55802, for plaintiff.

Susan E. Coleman-Hettich, Esq., **LIND, JENSEN, SULLIVAN & PETERSON**, 150 South Fifth Street, Suite 1700, Minneapolis, Minnesota, 55402 for defendant.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated April 25, 2007, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that Plaintiff's motion for remand [Docket No. 6] is DENIED.

DATED: May 17, 2007
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge